

Message Text

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PAGE 01 BONN 11051 081629Z

63

ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 L-03 JUSE-00 COME-00 TRSE-00

OMB-01 CIAE-00 INR-07 NSAE-00 /031 W

----- 091407

R 081622Z JUL 75

FM AMEMBASSY BONN

TO SECSTATE WASHDC 1261

INFO USMISSION USBERLIN

USMISSION OECD PARIS

USMISSION EC BRUSSELS

UNCLAS BONN 11051

E.O. 11652: NA

TAGS: ETRD, OECD, GW

SUBJECT: POSSIBLE VIOLATIONS OF US ANTITRUST LAWS

BY GERMAN COMPANIES

REF: A. STATE 151594; B. STATE 154546

1. EMBOFF ADVISED DR. STAHL AT ECONMIN OF MR. GOLDSWEIG'S INTEREST IN MEETING WITH OFFICIALS OF GUTEHOFFNUNGSHUTTE (GHH) WHO, AFTER BEING ASSURED THAT MEETING WOULD BE VOLUNTARY AND INFORMAL, STATED THAT THERE WOULD BE NO FRG OBJECTION. STAHL STATED THAT IT WAS UP TO GHH TO DETERMINE WHAT, IF ANY, INFORMATION IT WISHED MR. GOLDSWEIG TO HAVE, AND AS LONG AS MR. GOLDSWEIG WAS AWARE OF AND ACCEPTED THIS CONDITION THERE WOULD BE NO PROBLEM. DR. STAHL EMPHASIZED THAT THE FRG HAD NO INTEREST IN THE MATTER AT THIS STAGE OTHER THAN THE PROTECTION OF THE LEGAL RIGHTS OF A GERMAN CORPORATE ENTITY. HE OFFERED TO ASSIST IN BROKERING THE MEETING, AND IN FACT WAS WILLING TO HOST IT, IF WE THOUGHT THAT WOULD BE BENEFICIAL.

2. IN A TELEPHONE CONVERSATION WITH MR. GOLDSWEIG WE DETERMINED THAT THE FORMER WAS FULLY AWARE OF THE UNCLASSIFIED

UNCLASSIFIED

PAGE 02 BONN 11051 081629Z

CONDITIONS UNDER WHICH HIS DISCUSSION WITH GHH COULD

TAKE PLACE AND AGREED TO ABIDE BY THEM. THUS WE DID NOT HAVE TO AVAIL OURSELVES OF THE OFFER OF THE ECON- MIN TO ASSIST.

3. AS REFTTEL A. INDICATED THAT MR. GOLDSWEIG WANTED HIS CONSULTATIONS KEPT INFORMAL, NEITHER USMISSION BERLIN NOR AMEMBASSY BONN HAS MADE OFFICIAL NOTIFICATION OF MR. GOLDSWEIG'S MEETING WITH GHH. EMBASSY HAS, HOWEVER, INFORMALLY ADVISED DR. STAHL OF THE CONTENTS OF REFTTEL B. AS INDICATED, DR. STAHL'S REACTION WAS ONE OF COOPERATIVE WILLINGNESS TO ASSIST TO THE EXTENT NECESSARY TO FACILITATE THE MEETING.
HILLENBRAND

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: ANTITRUST, LAW, MEETINGS, NEGOTIATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 08 JUL 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975BONN11051
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750235-0942
From: BONN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750774/aaaacofc.tel
Line Count: 74
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EB
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 75 STATE 151594, 75 STATE 154546
Review Action: RELEASED, APPROVED
Review Authority: ShawDG
Review Comment: n/a
Review Content Flags:
Review Date: 04 MAR 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <04 MAR 2003 by ThomasVJ>; APPROVED <22 MAR 2004 by ShawDG>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: POSSIBLE VIOLATIONS OF US ANTITRUST LAWS BY GERMAN COMPANIES
TAGS: ETRD, GE, OECD
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006